

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CURRY, et al.,

Plaintiffs,

-v-

**P&G AUDITORS AND CONSULTANTS,
LLC, et al.,**

Defendant(s).

Case No. 20 Civ. 6985 (LTS) (SLC)

STIPULATION AND ORDER

WHEREAS, Plaintiffs Kenneth Curry, Ricardo Mazzitelli, and Jacqueline Brown Pilgrim (collectively, “Plaintiffs”) and Defendants P&G Auditors and Consultants, LLC, GRC Solutions, LLC, and PGX, LLC (collectively, the “Contractor Defendants”) have agreed to engage a mediator to facilitate settlement discussions; and

WHEREAS, Plaintiffs’ motion for conditional collective certification of their Fair Labor Standards Act (“FLSA”) claims (the “216(b) motion”) is currently pending, and oral argument is scheduled for March 8, 2021; and

WHEREAS, on March 2, 2021, Kenneth Curry and Jacqueline Brown-Pilgrim filed documents in support of their motion to dismiss the crossclaims asserted by PGX, LLC (the “MTD”),

NOW THEREFORE, it is stipulated, agreed and ordered that:

1. Oral argument currently scheduled for March 8, 2021 is hereby removed from the Court’s calendar;

2. The statute of limitations for the putative collective action members' claims under the FLSA is tolled from March 8, 2021 to the earlier of (1) oral argument on the 216(b) motion or (2) a decision on the 216(b) motion; and
3. The deadline for PGX to submit documents in opposition to the MTD is extended to thirty days following the date, if any, on which counsel advise the court that the mediation did not result in a settlement; and
4. Formal discovery in this matter is stayed for a period of eight (8) weeks while the parties explore resolution of this dispute with the assistance of a private mediator; and
5. This Stipulation may be signed in counterparts with facsimile or electronic signatures constituting original signatures and sufficient evidence of consent to be bound under this Stipulation. This Stipulation may not be changed orally.

Dated: New York, New York
March 5, 2021

By: 
Denise A. Schulman
JOSEPH & KIRSCHENBAUM LLP
32 Broadway, Suite 601
New York, NY 10004
212-688-5640

Julia Klein
KLEIN LEGAL GROUP OF NEW YORK PLLC
120 East 79th St., Suite 1A
New York, NY 10021
347-292-8170

*Counsel for Plaintiffs and Putative Class and
Collective Members*

By: 

The parties' letter-motion to adjourn the oral argument scheduled for Monday, March 8, 2021 (ECF No. 101) is GRANTED. The parties shall file a joint-letter concerning the status of mediation by **Friday, May 7, 2021**.


The Clerk of Court is respectfully directed to close ECF No. 101.

SO-ORDERED 3/5/2021


SARAH L. CAVE
United States Magistrate Judge

Michael J. Goettig
Lyle S. Zuckerman
DAVIS WRIGHT TREMAINE LLP
1251 Avenue of the Americas, 21st Floor
New York, New York 10020
212-489-8230

*Counsel for Defendants P&G Auditors and
Consultants, LLC, GRC Solutions, LLC and
PGX, LLC and Crossclaim Plaintiff PGX, LLC*

By: 

Dean G. Yuzek

Jennifer B. Zourigui
Amanda B. Grannis
INGRAM YUZEK GAINEN CARROLL &
BERTOLOTTI, LLP
150 East 42nd Street, 19th Floor
New York, New York, 10017
212-907-9600

*Attorneys for Apple Bank for Savings sued herein
as Apple Bancorp, Inc. d/b/a Apple Bank for
Savings*